

Atty Dkt.: 4001-00800**Patent****REMARKS/ARGUMENTS*****Status of Claims***

Claims 1-15 are pending in this application.

Claims 1-6 and 11-15 are hereby canceled.

Claim 7, 9, and 10 are hereby amended.

Applicants hereby request further examination and reconsideration of the presently claimed application.

Response to Restriction Requirement

The claims are restricted into the following groups:

Group I: Claims 1-10 are drawn to a method to receive the dimensional database from a plurality of tables, classified in class 707, subclass 3.

Group II: Claims 11-15 are drawn to a method for an inventory item to a customer identifier, classified in class 705, subclass 22.

The Applicant provisionally elected the claims of Group I by telephone on January 31, 2005.

The Applicant confirms the election of Group I and hereby cancels claims 11-15.

Information Disclosure Statement

The Examiner stated that the listing of references in the specification was insufficient to suffice for an Information Disclosure Statement (IDS) and that the references needed to be submitted on form PTO-892. The Applicant submitted the IDS on January 26, 2005, which included the references cited in the specification. The Applicant respectfully requests the Examiner to consider the references cited in the January 26, 2005 IDS.

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The title of the invention stands objected to in that it is not descriptive of the claimed invention. The Applicant respectfully requests the Examiner to change the title of the invention to "Customer Loyalty Program Utilizing Directed Sales Initiatives."

Drawings

The drawings were objected to because they fail to show the necessary textual labels of features or symbols in Fig. 1. The Examiner recommended that the Applicant revise Fig. 1 to include the reference labels or a table next to the figure to fulfill this requirement. Accordingly, the Applicant has amended Fig. 1 to include the labels as suggested by the Examiner.

Claim Rejections – 35 USC § 101

Claims 1-10 stand rejected under 35 USC § 101 because they are drawn to non-statutory subject matter. Specifically, the Examiner stated that the claims are not in Technological Arts because no technology is recited. Claims 1-6 are hereby canceled. Claims 7-10 have been amended to include a computer, and thus now recite technology that is statutory subject matter.

Claim Rejections – 35 USC § 112

Claims 1-10 stand rejected under § 112, first paragraph, for failing to comply with the enablement requirement. Specifically, the term "dimensional database" is not described in the specification. Claims 1-6 are hereby canceled and claim 7 is amended to recite a database, not

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the dimensional database. The database is described in the specification, specifically paragraphs 24-35 of the specification and the drawings.

Claims 1-10 stand rejected under § 112, second paragraph, as indefinite for failing to particularly point out and distinctly claim the subject matter that the applicant regards as the invention. Specifically, the term “dimensional database” is not described in the specification. Claims 1-6 are hereby canceled and claim 7 is amended to recite a database, not the dimensional database. The database is described in the specification, specifically paragraphs 24-35 of the specification and the drawings.

Claim Rejections – 35 USC § 102

Claims 1-10 stand rejected under § 102(b) as anticipated by *Bair* (WO99/23585). According to MPEP § 2131, “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” Claims 1-6 have been canceled. Claims 7-10 have been amended to recite subject matter that is not disclosed by *Bair*. More specifically, claim 7 has been amended to recite the limitation of storing consumer information and product information independent of promotion information, determining the intersection of the consumer information, the product information, and the promotion information, and storing the intersection in the database, which is supported by paragraphs 25-39 of the specification. *Bair* fails to disclose any type of promotion, or the manipulation of any type of promotion information. Consequently, *Bair* fails to anticipate amended claim 7.

*Atty Dkt.: 4001-00800**Patent***CONCLUSION**

Consideration of the foregoing amendments and remarks, reconsideration of the application, and withdrawal of the rejections and objections is respectfully requested by Applicant. No new matter is introduced by way of the amendment. It is believed that each ground of rejection raised in the Office Action dated November 15, 2005 has been fully addressed. If any fee is due as a result of the filing of this paper, please appropriately charge such fee to Deposit Account Number 50-1515 of Conley Rose, P.C., Texas. If a petition for extension of time is necessary in order for this paper to be deemed timely filed, please consider this a petition therefore.

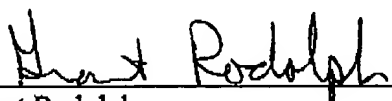
If a telephone conference would facilitate the resolution of any issue or expedite the prosecution of the application, the Examiner is invited to telephone the undersigned at the telephone number given below.

Respectfully submitted,

CONLEY ROSE, P.C.

Date: 5/1/06

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